

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CONWAY T. PERRY,

Defendant.

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8:12CR185

ORDER

This matter is before the court on the oral motion of defendant Conway T. Perry (Perry) for a continuance of the arraignment in order for Perry to retain counsel made during his appearance before the court on July 16, 2012. Perry acknowledged the additional time needed for his motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

IT IS ORDERED:

1. Perry's motion for a continuance of the arraignment is granted. Perry shall next appear for arraignment before Magistrate Judge F.A. Gossett in Courtroom No. 6, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **on July 23, 2012, at 1:30 p.m.**

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from July 16, 2012, and July 23, 2012**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant requires additional time to adequately prepare the case, taking into consideration due diligence, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 16th day of July, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge